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June 6, 2025

Via ECF

Honorable Taryn A. Merkl
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Korey Watson v. City of New York, et al.*,
23-CV-08975 (LDH) (TAM)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter. I write on behalf of the parties to respectfully request that the Court grant the parties an additional two weeks to file a proposed briefing schedule for defendants' anticipated motion to dismiss and/or for summary judgment.

By way of background, plaintiff alleges that, on September 7, 2022, he appeared at the Human Resources Administration office, as instructed, at 275 Bergen St., to resolve issues with his benefits when he was stabbed with a boxcutter by another individual in line for services. *See* ECF No. 1. Plaintiff alleges, *inter alia*, that defendants City of New York, FJC security, and John and Jane Doe FJC Security officers violated both his state and federal constitutional rights and brings additional state law claims including a claim for negligent hiring and training. *Id.* On May 29, 2024 Plaintiff filed an amended complaint adding seven John Doe defendants¹ as parties in this action. *See* Civil Docket Entry No. 18. A settlement conference was scheduled at the parties' request for May 30, 2025. *See* Civil Docket Entry dated May 1, 2025.

Thereafter, on or about May 29, 2025 while preparing to attend the May 30, 2025 settlement conference with Your Honor, the undersigned learned that plaintiff previously executed a General Release in another matter against the City on or about August 14, 2024, the language of which unquestionably, in defendants' view, bars this action. Plaintiff's research has

¹ The individually named defendants are Sabrina Dunca, Ashley Johnson, Kern Proberhs, Natasia Lyles, Tamika Jenkins, Patricia Robinson, and Sean Williams. *See* Civil Docket Entry No. 18.

revealed recent decisions denying motions to dismiss based on the City's general release. On May 29, 2025, the parties requested an adjournment of the settlement conference scheduled for May 30, 2025 and that the parties be permitted to file a joint status letter with a proposed briefing schedule after conferring.

Additional time is now needed for the parties to continue to confer about how best to proceed in light of the General Release. While the parties have been able to conduct some preliminary research, the parties believe that additional time would be useful.

Accordingly, the parties respectfully and jointly request that the Court grant the parties an additional two weeks to file a proposed briefing schedule in compliance with the Hon. D'Arcy Hall's Individual Rules of Practice

Thank you for your consideration herein.

Respectfully submitted,

KellyAnne Holohan /s/

KellyAnne Holohan
Senior Counsel

cc: **Via ECF**
All counsel of record